

REMARKS

Claim Status

Upon entry of this amendment, claims 1, 2 and 9-11 have been amended, claims 13-16 have been added; claims 1-16 remain pending. It is believed that no new matter has been introduced and the amendments are fully supported by the specification. It should be further understood that the amendments herein have been made to clarify claim language and not to limit or narrow the scope of the claims, and thus, they should not be interpreted as narrowing claim amendments.

Drawings

The Notice of Draftsperson's Patent Drawing Review is duly noted. In order to minimize cost for preparing such drawings, Applicants respectfully submit that compliant formal drawings will be provided at a later time.

Changes to Specification

As noted above, the cross reference information related to the application cited in the specification has now been provided.

Also as noted above, the abstract has been amended to comply with the appropriate word limit.

35 USC §103 Rejection

Claims 1-3 and 5-9 are rejected under 35 USC 103(a) as being unpatentable over Halliday et al. (U.S. Pub. No. US 2002/0083345 A1) in view of Shu et al. (U.S. Pub. No. US 2002/0080888 A1). For at least the reasons set forth below, Applicants respectfully traverse the foregoing rejection and submit that these claims are now patentable over cited art.

With respect to claim 1, it is alleged that the invention as recited in claim 1 would have been obvious in view of Halliday and Shu. As will be explained below, Applicants respectfully submit that the combination of Halliday and Shu would not have resulted in the present invention as recited in claim 1. Further review of the cited excerpts show that, contrary to the examiner's assertion, at least one or more elements as recited in claim 1 are not disclosed or suggested by Halliday or Shu. For example, Halliday does not disclose or suggest the feature that while at least one of the message

segments having one or more data portions is being transferred, other data portions of the message are concurrently being received at the message source. Paragraph [0045] in Halliday does not show or suggest otherwise. As noted in paragraph [0045] in Halliday, FIG. 8 shows an embodiment of an unpacked data packet. The message is delivered to the client application 24 in a packet form. Nothing in this paragraph [0045] shows or suggests that while at least one memory segment (generated based on at least one portion of a message) is being transferred, other portions of the same message are concurrently being received at the message source. Furthermore, Shu does not disclose or suggest delivering one or more portions of a reassembled message to a receiving application program once such portions of the reassembled message are ready to be delivered and while the assembling of other portions of the reassembled message is occurring. Paragraph [0085] in Shu does not show or suggest otherwise. As noted in paragraph [0085] in Shu, when a sufficiently large number of message segments is received, the partially assembled message is forwarded to a decoder ... which recovers the entire original message. Shu does not disclose or suggest delivering portions of the reassembled message while the assembling of other portions of the reassembled message is being performed. In Shu, additional assembling of other portions of the reassembled message is not performed. That is because once the sufficient number of message segments has been obtained and forwarded to the decoder, the decoder will recover the entire original message without any additional memory segments. As discussed above, Halliday and Shu do not disclose or suggest at least one or more elements of the present invention as recited in claim 1. Claim 1 has been amended solely for purpose of clarifying the claim language and such amendments are not intended to limit the scope of the claim. Hence, claim 1 as amended is deemed to be patentable over the cited art.

With respect to claim 2, this claim depends from claim 1 and hence at least derives its patentability therefrom. Therefore, claim 2 is patentable over the cited art. Notwithstanding the foregoing, claim 2 on its own is also patentable over the cited art. It is alleged that Halliday discloses simultaneously transferring multiple copies of the message segments was not sure in a over alternate paths of the distributed communication network. Further review of the cited excerpts, however, does not support the examiner's position. FIGs. 9 and 10 in Halliday merely show that a message is transmitted. These figures do not show or suggest that multiple copies of each message segment are transferred. Consequently, combining Halliday and Shu would not have resulted in the

present invention as recited in claim 2. Therefore, claim 2 on its own is also patentable over the cited art.

With respect to claims 3 and 5-7, these claims depend from claim 1 and hence at least derive their patentability therefrom. Therefore, in the interest of expediting allowance of the present application and without conceding the issue of patentability with respect to these claims, Applicants respectfully submit that these claims are patentable over the cited art.

With respect to claim 8, this claim depends from claim 1 and hence at least derives its patentability therefrom. Therefore, claim 8 is patentable over the cited art. Notwithstanding the foregoing, claim 8 on its own is also patentable over the cited art. It is alleged that Halliday discloses streaming message segments to the message destination as each message segment becomes ready to be transferred. Further review of the cited excerpts, however, does not support the examiner's position. FIGs. 9 and 10 in Halliday merely show that a message is transmitted. These figures do not show or suggest that message segments are streamed to the message destination as each message segment becomes ready to be transferred. Therefore, claim 8 on its own is also patentable over the cited art.

With respect to claim 9, this claim depends from claim 1 and hence at least derives its patentability therefrom. Therefore, claim 9 is patentable over the cited art. Notwithstanding the foregoing, claim 9 on its own is also patentable over the cited art. It is alleged that Halliday and Shu in combination disclose or suggest streaming a reassembled message to the receiving application program as message segments are being assembled. Further review of the cited excerpts, however, does not support the examiner's position. FIGs. 15 and 17 in Halliday merely show that a requisite number of chunks are collected and then recombined into a message. Claim 9 has been amended to clarify that one or more portions of a reassembled message are streamed to the receiving application program. FIGs. 15 and 17, on the contrary, disclose that an entire message is assembled first before further processing is performed. Furthermore, Shu does not disclose or suggest assembling message segments and streaming portions of a reassembled message in a concurrent manner. As discussed above, Shu discloses assembling message segments first and then forwarding a partially assembled message to the decoder so as to allow the decoder to obtain the entire message. Consequently, combining Halliday and Shu would not have resulted in the present invention as recited in claim 9. Therefore, claim 9 on its own is also patentable over the cited art.

Claims 4 and 10-12 are rejected under 35 USC 103(a) as being unpatentable over Halliday et al. in view of Shu et al. as applied to claim 1 and further in view of Iverson et al. (U.S. Pat. No. 6,839,842). For at least the reasons set forth below, Applicants respectfully traverse the foregoing rejection and submit that these claims are now patentable over cited art.

With respect to claim 4, this claim depends from claim 1 and hence at least derives its patentability therefrom. Therefore, in the interest of expediting allowance of the present application and without conceding the issue of patentability with respect to claim 4, Applicants respectfully submit that claim 4 is patentable over the cited art.

With respect to claim 10, the same rationale and arguments as discussed in connection with claim 1 similarly apply with equal force. Hence, claim 10 as amended is also patentable over the cited art.

With respect to claims 11 and 12, these claims depend from claim 10 and hence at least derived their patentability therefrom. Therefore, these claims are also patentable over the cited art. Notwithstanding the foregoing, with respect to claim 11, the same rationale and arguments as discussed in connection with claim 2 similarly apply with equal force. Therefore, claim 11 on its own is also patentable over the cited art.

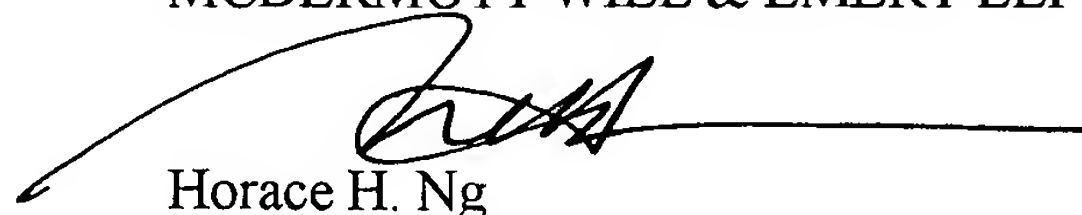
With respect to claims 13-16, these claims recite features that are fully supported by the specification and are neither disclosed nor suggested by the cited art. Therefore, claims 13-16 are patentable over the cited art.

Conclusion

In view of the foregoing, Applicants believe all claims now pending in this application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested. If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at the telephone number provided below.

Respectfully submitted,

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Date: August 23, 2005

MPK 89295-1.072130.0024